

1873-078 Chancery Causes: Ward & Gibbony } vs. George F. Ely  
Lee Co.

Ward, Gibbony

CA-Debt

T-Property

To the Honorable Henry J Morgan Judge of the  
County Court of Lee County

Your Petitioners William Wood and William  
Gibbons late merchants and partners in trade under  
the firm and style of Wood & Gibbons respectfully  
represent that one George H. Ely contracted to pay  
them a debt in 1860 and upon this debt they  
obtained a judgment in the County Court of this  
County <sup>for \$125.00 with interest from 6<sup>th</sup> day of November 1860 and costs amounting to \$46.60</sup> at the August term thereof 1864, upon  
which an execution was issued and has  
been returned "no property" A transcript of  
said judgment and execution is herewith  
filed together A. B.

Your Petitioners will  
state that the said Ely owns a tract of land  
supposed to contain <sup>about</sup> 200 acres situated in said  
County upon which he resides, and they are  
advised that their said judgment is a lien  
upon said land which a Court of equity will  
enforce. They pray therefore that the said  
George H. Ely be made a defendant to this bill  
and answer the same upon oath - that on a  
hearing a decree be rendered directing a sufficiency  
of the land of the said judgment debtor to be  
sold to satisfy said judgment and costs of suit,  
as Your Petitioners allege that the rents and  
profits of the same will not pay said judgment  
and costs of this suit within five years - they  
pray for other and general relief they may  
issue &c.

Hogan & Pridmore



125  
 75  
 575  
 575  
 9125  
 660  
 9785  
 40 - 1005  
 5785  
 25  
 262.55

W.D.

Ward Hibbory

vs. { Bell & Ely

Geo. F. Ely

exhibits to future

Sept-  
 1871 Bell filed, Spa Exec Decr D. N.  
 " Oct Decree nisi confirmed &  
 " Decree set for hearing by Piff  
 " Oct Term Cont'd  
 " Nov " do  
 " Dec " Decree & Cont'd  
 1872 Jan'y, Feb, March, April Cont'd.  
 " May, June, July, Aug Cont'd.  
 " Sept, Oct, Nov & Dec Cont'd.  
 1873 Jan'y, Feb & March Cont'd.  
 " April Term, final.

67.5 2. including March 1873  
 10.0 0  
 8.0 0  
 10.0 0  
 26.5 2.  
 and page 1



Ward & Gibbons,

Plff.

against  
Geo H Eg

Def.

In by

This cause came on this day to be again heard on the proposed judgment and report of Com. Patrick Hogan doct<sup>r</sup> Apt 1<sup>st</sup> 1873 and was argued by Counsel - and said report being accepted it is confirmed.

On consideration it is ordered that the said Commissioner collect the note of \$187.11 when the same falls due and pay the same to the plaintiff or their attorney - and out of the note execution for costs he will after retaining Commission and fees of course pay the clerk & Sheriff their costs, and as the said Commissioner is also the attorney for the plaintiff bond is not required from him - And it appearing unnecessary to retain this cause on the docket. The same is struck from the docket.



Ward & Gibbons

of Decem. 1861

Geo. H. Ely

Entered Order Book  
page 257 & 260.  
James H. Orr, Clerk.

Enter this Decem.

H. J. Morgan

April 22/73



Ward & Gibbons

vs  
Geo L. Ely

Bill

sepl

} In leg

This cause came on this day to be heard on the bill of the plaintiff exhibits filed and was argued by counsel. And it appearing that process has been executed on the defendant who still fails to appear. The bill is therefore taken per confessor. ~~An consideration whereof it is adjudged ordered and decreed that~~ and it appearing to the court that at the August term 1864 of this cause the plaintiff obtained a judgment against the defendant for the sum of \$125,000 with interest thereon from the 6<sup>th</sup> day of November 1860 and the costs which amount to \$6,600 - upon which a writ of fieri facias has been issued and is return "no property found" An consideration whereof it is adjudged ordered and decreed that unless the defendant pay to the plaintiff within 20 days from this time the said judgment together with the costs of this suit which he is adjudged to pay - then Patrick Hogan is hereby appointed a special commissioner whose duty it is made to sell the land in the bill mentioned which is owned by the defendant or so much thereof as may be necessary to pay said judgment the costs of this suit and expense of sale. The said Commissioner is directed to sell said land at the front door of the Court house of this County on some Court day on a credit of 1, 2 & 3 years of equal installments but so much as may



he may to pay costs shall be required to be  
 paid in hand. Said Commission shall  
 give due notice at least 27 days before the  
 sale at the Court house of this county and in  
 the neighborhood where the land lies setting  
 forth the time place and terms of sale, but  
 it is also adjudged that if the defendant desires the  
 said land to be rented out for such period as will  
 pay the plaintiff claim instead of being sold, and  
 he notifies the said Commission in writing  
 to this effect <sup>before sale is made</sup> - then the said Commission shall  
 rent the said premises provided that the  
 rents shall satisfy the plaintiff claim and  
 all costs within time specified. otherwise he shall  
 sell as directed. He will report his action to this court  
 and the cause is continued

10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36  
 37  
 38  
 39  
 40  
 41  
 42  
 43  
 44  
 45  
 46  
 47  
 48  
 49  
 50  
 51  
 52  
 53  
 54  
 55  
 56  
 57  
 58  
 59  
 60  
 61  
 62  
 63  
 64  
 65  
 66  
 67  
 68  
 69  
 70  
 71  
 72  
 73  
 74  
 75  
 76  
 77  
 78  
 79  
 80  
 81  
 82  
 83  
 84  
 85  
 86  
 87  
 88  
 89  
 90  
 91  
 92  
 93  
 94  
 95  
 96  
 97  
 98  
 99  
 100

John Whitby  
 of Decatur  
 Geo. L. Ely

Entered in  
 Henry & Morgan  
 Dec 24th 1871

Entered O. J. B. 4 59.  
 J. W. Hunt. B. 200



Ward & Gibbons

Plff

<sup>vs</sup>  
Geo H Ely

Def

in Eq

The undersigned Commissioner depts leave  
to state that in obedience to a decree  
rendered in this cause he sold the land in  
the bill mentioned after due advertisement of  
time place & terms at which sale the defendant  
George H Ely became the purchaser at the  
price of \$229.44 of which sum it will be the  
duty of him to pay the costs of the suit at law & charges  
and for this sum he the said Ely executed  
to your Commissioner his note to be paid 12  
months after date. And for the residue <sup>about \$187.11</sup> he  
executed another note to be paid two years  
after date. And for their payment he  
has executed a deed of trust to A L  
Presdempe trustee - This is not in exact  
accordance with the provisions of the decree  
rendered in the cause but it secures the  
debt due the plaintiff deducting the interest  
which accrued during the term. The action  
of your Court satisfies them and done  
at the solicitation of the defendant.  
So when the plff & defendant are satisfied  
others should be. Apr 1<sup>st</sup> 1873

J. Hagan com



Ward & Gibbons

v. Report

Geo H. Ely

Filed April 1/73

Just V. Orr Clerk



Virginia

At a Court of quarter sessions continued and held for Lee  
County at the Court House thereof on Saturday the 21st  
day of August 1869.

Hard and Gilmaney, late merchants &c

Plffs

against

George H Ely

Def

In Debt

The defendant not appearing. It is considered by the court  
that the judgment obtained against them in the Clerks Office  
for \$125-00 - the debt in the Declaration mentioned, with legal  
interest thereon from the 6th day of November 1860 till paid  
and the costs, be made final.

A copy

Teste James W Orr, Clerk.



Ward & Gilmaney  
vs } Copy of judgment  
} (George H Ely  
Filed  
Jan 11 1880.

(Exhibit A)

For copy 20 cts



The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY---GREETING:

WE COMMAND YOU, that of the goods and chattels of

*George F. Ely*

\_\_\_\_\_ late in your bailiwick, you cause to be made \$ *125.00*  
with legal interest thereon, from the *6th* day of *November*, 18*60*, till paid,  
which *William St. Ward & William Gibbons*, under  
*the firm, name & style of Ward & Gibbons*

lately in our County Court for Lee County, has recovered against *him* by suit for *Debt*  
also, \$ *6.11* which to the said *Ward & Gibbons*  
in our said Court were adjudged for *their* costs in that behalf expended, whereof the said  
*Ely is* \_\_\_\_\_ convicted, as appears to us of record.

And that you have the same before the Justices of our said Court, at the Court-House on the first  
Monday in *July* next, to render to the said *Ward & Gibbons*  
\_\_\_\_\_ of the *Debt* and costs aforesaid.

And have then there this writ. Witness, JOHN B. WEST, ~~Deputy for SYLVESPER E.~~  
~~THOMPSON~~, Clerk of our said Court at the Court-House, this, *2nd* day of *April*  
1870, in the *94th* year of the Commonwealth.

*J. B. West.* Clerk.

*62.61*  
*A 2.50*  
*.50*  
*5.50*  
*6.11*



Ward & Gibney

vs { J. J. J. J.

George F. Ely

July Rules 1870.

no property  
found home-stead  
signed  
Wm. W. S. J. S. L.



THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU, that of the goods and chattels of *George F Ely*.

late in your bailiwick, you cause to be made \$ *125.00* with legal  
interest thereon, from the *6th* day of *January* 18*60*, till paid, which *Hard &*  
*Gibson*

lately in our County Court for Lee County, have recovered against *him* by suit for *Debt*.

also \$ *6.67* Which to the said *Hard & Gibson*

in our said Court were adjudged for *their* costs in that behalf expended, whereof the said *Ely*  
*is* —————

convicted, as appears to us of record. And that you

have the same before the Judge of our said Court, at the Court-House on the first Monday in *September*

next, to render to the said *Hard & Gibson*

of the *Debt*

and costs aforesaid.

And have then there this writ. Witness, *John B West* ~~JOHN W. ORR~~, Clerk of our said Court, at the Court-House, this *7th*

day of *July*

18*70*, in the *95th* year of the Commonwealth.

*Lo. 3.19*  
*A. 2.50*  
*S. .50*  
*L. .50*  
*\$ 6.60*

*John B West* Clerk.

*A copy*  
*Lester James W Orr. Clerk.*



No 6 (182) H. & P.

Ward & Gilmaney

vs. H. Ha

George & Eli

Particular Rules 1810.

To property found liable  
to carry

Paul S. Dickinson, D.S.

for Wm W Sage, S.L.C.

A copy

Teste James W Orr, Clerk

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY--GREETING:  
WE COMMAND YOU, that of the goods and chattels of *George H Ely.*

late in your bailiwick, you cause to be made \$ *125.00*  
with legal interest thereon, from the *6<sup>th</sup>* day of *November*, 18*60*, till paid,  
which "*Ward & Gihoney*"

lately in our County Court of Lee County, have recovered against *him* by suit for *Debt*-  
also, \$ *6.69* which to the said "*Ward & Gihoney*"  
in our said Court were adjudged for *their* costs in that behalf expended, whereof the said

*Ely is* convicted, as appears to us of record.  
And that you have the same before the ~~judges~~ of our said Court, at the Court-House on the first  
Monday in *September* next, to render to the said "*Ward & Gihoney*"  
of the *Debt* and cost aforesaid.

And have then there this writ. Witness, JOHN B. WEST, ~~Deputy for SYLVESTER E.~~  
~~THOMPSON~~, Clerk of our said Court, at the Court-House, this *7<sup>th</sup>* day of *July*  
1870, in the *95<sup>th</sup>* year of the Commonwealth.

*John B West.* Clerk.

*Lo. 3.19*  
*A. 2.50*  
*S. .50*  
*T. .50*

*\$6.69*



No. 6. (182.)

1740

"Ward & Giboney"

or 3 Hi Ka.

George H Ely.

---

September Rules 1840.

---

As property found  
libable to Levy  
and then found it  
for  
Mr H Sage & Co.

# THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *George F. Ely. A. L. Bridmore Trustees,*  
*& Patrick Wagon*

*circuit*

To appear before the Judge of our County Court of Lee County, at the Court House, in the Clerk's Office, at Rules to be holden for said Court, on the first Monday in *October* next, to answer a bill in Chancery, exhibited in our said Court against *them* by *William Simms*

And have then there this writ. Witness, **JAMES W. ORR**, Clerk of our said Court, at the Court House, this *28th* day of *September* 187*4* in the *7th* year of the Commonwealth.

*James W. Orr* Clerk.



<sup>LD</sup>  
William Sinner

vs Spain City

George F. Ely et al

Oct. Rules 1874

Not Except Legal service  
of the within notice

George F. Ely  
<sup>his</sup>  
<sup>mark</sup>

I accept the legal service  
of the within Super.

Oct-19-1874

A. L. Pindemore

P. Nagam